

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
Norfolk Division**

COURTHOUSE NEWS SERVICE,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Case No. 2:18-cv-391-HCM
	)	
GEORGE E. SCHAEFER, in his official	)	
capacity as Clerk of the Circuit Court for	)	
Norfolk, Virginia, <i>et al.</i> ,	)	
	)	
Defendants.	)	

**DECLARATION OF CONRAD M. SHUMADINE**

1. I, Conrad M. Shumadine, am over 18 years of age and other competent to make this Declaration.
  
2. I was local counsel in this case and am making this Declaration based on my personal knowledge.
  
3. I was admitted to practice law in the Commonwealth of Virginia in 1967 and have been continually licensed and in good standing since that time and hold bar license number 4325.
  
4. I received a A.B. Degree from Davidson College in 1964 and received a J.D. degree from the Harvard Law School in 1967.
  
5. I was admitted to the bar of the Supreme Court of Virginia and of this Court in 1967, and I have continuously maintained a litigation practice in this Court since my admission.
  
6. I am a member of the bars of the Supreme Court of the United States, the United States Court of Appeals for the Fourth Circuit, the United States Court of Appeals for the Ninth Circuit, the United States Court of Appeals for the Second Circuit, the United States Court of Appeals for the Federal Circuit, the United States District Court for the Western District of Virginia, and the United States Bankruptcy Courts for this District and the Western District of

Virginia. I have been admitted Pro Hac Vice to other federal district courts throughout the country.

7. I have been elected to fellowship in the American College of Trial Lawyers, the American Bar Foundation, and the Virginia Bar Foundation and have been awarded an “AV” rating in the Martindale Hubbell peer ranking process.

8. I am a member of the American Bar Association, the Virginia Bar Association, the Federal Bar Association, the Norfolk and Portsmouth Bar Association, and the Virginia Trial Lawyers Association. I have served as president of the Norfolk and Portsmouth Bar Association and was a member and the chairman of the Virginia State Bar Section of Antitrust Law. I was a member and the chairman of the Virginia State Bar Second District Disciplinary Committee.

9. I was chairman of the Merit Selection Panels which were appointed to make recommendations for the appointment of a Magistrate Judge for this Court for the years 2000 and 2012. In 2017, I was chairman of the Advisory Panel appointed by this Court in connection with the reappointment of the Honorable Douglas E. Miller as a Magistrate Judge of this Court. I am a permanent member of the Judicial Conference of the United States Court of Appeals for the Fourth Circuit.

10. I have been named to the Virginia “Legal Elite” published by *Virginia Business* magazine in the field of civil litigation since its inception in 2000. I have been named a “Virginia Super Lawyer” in the field of business litigation and have been listed as among the top 50 lawyers in the Commonwealth by *Richmond Magazine* as well as being identified as a “top lawyer” in the field of business litigation by *Corporate Counsel* magazine. I have been recognized as a leading litigation attorney by *Chambers USA* and as a “Benchmark Litigation Star” for Virginia.

11. I have been and am presently listed in Best Lawyers in America in the fields of business litigation, first amendment law, antitrust law, banking law, financial institutions and transaction law and appellate law.

12. I have lectured extensively on litigation matters in Virginia and elsewhere in the United States. For more than 25 years, I was a regular panelist on the Practice Law Institute Communications Law Seminar held in New York. I have written a number of articles and outlines including a more than 500 page outline concerning Antitrust Law and the Media utilized in connection with the Communications Law Seminar.

13. In 2018, I was named to the “Virginia Lawyers Hall of Fame” by *Virginia Lawyers Weekly*. The honor recognizes attorneys age 60 and older who have a history of dedication to law in Virginia.

14. I am presently a shareholder (partner) in the Willcox & Savage law firm, and chair of that firm’s commercial litigation section.

15. My professional practice has consisted of civil and criminal litigation in federal and state courts for more than 51 years.

16. As local counsel, my role in this case was not only to read, review and file pleadings and other matters with the Court, but also to participate in the preparation of the case in accordance with the standards established by this Court.

17. I found each of the Bryan Cave lawyers with whom I worked to be highly competent and it is my opinion that the work performed in this case met or exceeded the standards normally expected by the Court.

18. Since I was not lead counsel, I had limited direct contact with the client and did not participate in discussions regarding the overall staffing of the case. Since all the work was

performed in an exemplary manner and since lead counsel was meeting or exceeding all the Court's normal expectations, I relied on lead counsel to make all decisions regarding the prosecution of the case consistent with meeting my obligations to this Court.

19. I have charged Courthouse Service the rate of \$450 an hour for all work performed in this case. Based on my knowledge of rates in this market, this rate is appropriate for an attorney with my experience.

20. Patricia A. Yoder is a litigation paralegal in the commercial litigation section of Willcox & Savage, P.C. Ms. Yoder has served as a paralegal with Willcox & Savage, P.C. for 32 years and in those years has handled a wide variety of business litigation cases including First Amendment cases. Ms. Yoder's hourly billing rate for the years 2018 and 2019 was \$155. For the year 2020 her billing rate is \$160.

21. Nilsa I. Martinez is the litigation support analyst for Willcox & Savage, P.C. Ms. Martinez has been employed by Willcox & Savage, P.C. for 15 years and in the last 10 years she has focused her attention on the utilization of technology in dealing with courtroom and document production issues. Ms. Martinez assists the firm with e-discovery, establishing databases for attorney review, document productions, generating trial exhibits, and assisting in court with the utilization of technology. Ms. Martinez has participated in numerous continuing education programs involving litigation support. Ms. Martinez' hourly billing rate in 2018 was \$187, in 2019 it was \$210, and in 2020 it is \$215.

22. Attached hereto as **Exhibit 1** is a document containing all time entries that are being claimed for the prosecution of this case and the preparation of this fee application from April 1, 2018 through February 28, 2020.

23. Each of the billing entries was made contemporaneously and accurately records the time expended on the described tasks.

24. Courthouse News Service has reimbursed Willcox & Savage, P.C. for payment of all invoices up to and through January 31, 2020. Willcox & Savage, P.C. has invoiced Courthouse News Service for services for the month of February, 2020, which Willcox & Savage, P.C. expects to be paid.

25. Since time entries are made contemporaneously in hand as work is being performed, they are occasionally ungrammatical and incomplete. In most instances, the time entries remain as they are, but in a few instances obvious inaccuracies have been corrected.


26. Willcox & Savage, P.C. is claiming 432.90 total hours broken down as follows:

Conrad M. Shumadine	262.70 hrs.
Nilsa Martinez	70.50 hrs.
Patricia Yoder	99.70 hrs.

from April 1, 2018 through February 28, 2020, for a total of \$149,019 as reflected on **Exhibit 1**.

I declare, under penalty of perjury under 28 U.S.C. § 1746 and the laws of the United States of America, that the foregoing Declaration is true and correct.

Dated: March 4, 2020

  
Conrad M. Shumadine

**CERTIFICATE OF SERVICE**

I hereby certify that on the 4th day of March, 2020 I electronically filed the foregoing with the Clerk of Court using CM/ECF system, which will send a notification of such filing to all counsel of record as listed below:

William W. Tunner (VSB No. 38358)  
William D. Prince IV (VSB No. 77209)  
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/s/

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